

Exhibit 3

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

THE SOUTH CAROLINA
STATE CONFERENCE OF
THE NAACP, et al,

Plaintiffs,

vs.

CASE NO.

3:21-CV-03302-MBS-TJH-RMG

THOMAS C. ALEXANDER,
et al,

Defendants.

VIDEOCONFERENCE

DEPOSITION OF: WILLIAM ROBERTS

DATE: July 7, 2022

TIME: 9:35 a.m.

LOCATION: 1310 Gadsden Street
Mahogany Conference Room
Columbia, SC

TAKEN BY: Counsel for the Plaintiffs

REPORTED BY: ERIC GLAZIER, Court Reporter

1 redistricting team?

2 A. Those probably would have been handled
3 by the attorneys, not the technical map-drawing
4 staff.

5 Q. So Mr. Fiffick, Mr. Terreni, and then
6 outside counsel?

7 A. I don't know if outside counsel or not.
8 It would have been Mr. Terreni and Mr. Fiffick that
9 would have responded to something like this.

10 Q. Got it.

11 You may recall during this hearing that
12 you and Senator Harpootlian had an exchange about
13 the NRRT involvement, or maps that were submitted.
14 Do you recall that?

15 A. Vaguely, yes.

16 Q. I'm now going to mark -- I know we've
17 talked about some of the plans that NRRT submitted.

18 MR. CUSICK: Mr. Gore, these are Tabs
19 11, 12, and 13. They are each an email between
20 Mr. Fiffick and Mr. Kincaid. I'm just going to go
21 one by one through them, but -- and these will be
22 Plaintiff's Exhibit 16, Exhibit 17, and Exhibit 18.
23 And give me one moment, and I'll...

24 DEFENSE COUNSEL: I think Tab 13 is
25 something different.

1 MR. CUSICK: That's right. Sorry. I'm
2 seeing that's -- that's a different tab. So just
3 Tabs 11 and 12. They should be each a single page.

4 And then the other one should be Tab 1.
5 That's the third document between Mr. Fiffick and
6 Mr. Kincaid. It's Bates stamp ending in 3246, and
7 that will be Exhibit 18. I'll put those into
8 Exhibit Share and then go through them very
9 briefly.

10 I'll pull them up on the screen for
11 you, Mr. Roberts.

12 (PLF. EXHIBIT 16, EMAIL CHAIN RE: ITEM
13 SHARED WITH YOU: "A AND B.ZIP", was marked for
14 identification.)

15 (PLF. EXHIBIT 17, EMAIL CHAIN RE: ITEM
16 SHARED WITH YOU: "JESSAMINE.ZIP", was marked for
17 identification.)

18 (PLF. EXHIBIT 18, EMAIL CHAIN RE: ITEM
19 SHARED WITH YOU: "JESSAMINE.ZIP", was marked for
20 identification.)

21 BY MR. CUSICK:

22 Q. Can you see this okay?

23 A. Yes.

24 Q. And so this is the first one,
25 Plaintiff's Exhibit 16, with Bates stamp ending in

1 3244.

2 Do you know what these items refer to
3 that are shared with that are labeled AandB.ZIP?

4 A. Could you repeat that question?

5 Q. Do you know -- it says the items were
6 shared from Mr. Kincaid to Mr. Fiffick using his
7 Gmail, and they're labeled, AandB.ZIP.

8 Were you at all -- or did you have
9 access at all to these items that were labeled A
10 and B?

11 A. No. This was sent to Andy Fiffick's
12 Gmail account. I do not -- did not have access to
13 his Gmail account.

14 Q. Did you have access to the Google Drive
15 from Mr. Kincaid?

16 A. No, because that Google Drive was tied
17 to Andy's Gmail account.

18 Q. Did he share these documents with you?

19 A. We got two maps from the NRRT, but I
20 don't know if these are the same maps that we
21 received.

22 Q. Got it.

23 I'll pull up -- do you recall if the
24 maps had any titles?

25 A. They did.

1 Q. Got it.

2 Do you recall this as being one of the
3 titles?

4 A. Yes.

5 Q. And what does that mean to you?

6 A. It's a misspelling of the state flower,
7 I believe.

8 Q. Does it have any significance to the
9 redistricting process?

10 A. It's one of the maps that NRRT sent.

11 Q. And when you said it was shared with --
12 when you refer to, we, again, that's the core
13 redistricting team?

14 A. That's correct.

15 Q. Were these maps shared at all with
16 anyone outside of the core redistricting team at
17 all?

18 A. I can't remember.

19 (Off-the-record conference during which
20 Michael Burchstead joined the videoconference.)

21 BY MR. CUSICK:

22 Q. Did these maps at all influence any of
23 the iterations of the maps that you drew?

24 A. No.

25 Q. I'll briefly just talk about the

1 house's initial draft plan that was publicly posted
2 on December 13th.

3 Do you at all -- or did you become
4 aware at all if the house at any point during the
5 process was working on a draft congressional plan?

6 A. Yes. We knew that they were working on
7 something, but time frame, I don't know.

8 Q. Was there any collaboration between
9 your core redistricting team and the folks who were
10 working on it on the house side for any
11 congressional maps?

12 A. Very minimal, if any at all.

13 Q. And what was the minimal work or
14 however you would characterize it?

15 A. It would have just been exchanging
16 data.

17 Q. Did you attend any of the house's
18 hearings on maps that they proposed for
19 congressional redistricting?

20 A. I didn't attend in person, and I can't
21 recall if I watched them all on the internet or
22 not.

23 Q. Did any of the feedback that you heard
24 during those hearings impact your work on the
25 senate side?